UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

Reply To
Attn Of: ETPA-088

Ref: 05-043-AFS

Jeff Walter, Forest Supervisor
Ochoco National Forest
3160 NE Third Street
Prineville, OR 97754

Dear Mr. Walter:

The EPA has reviewed the draft **East Maury Fuels and Vegetation Management Project Environmental Impact Statement** (EIS) [CEQ #20080137] in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309, independent of NEPA, specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures we evaluate the document's adequacy in meeting NEPA requirements.

The EIS describes the effects of implementing fuel reduction and vegetation management strategies in the eastern portion of the Maury Mountains, approximately 20 miles southeast of Prineville, Oregon. The EIS evaluates two action alternatives. Alternative 2 (Preferred Alternative) would treat fuels and vegetation on approximately 14,000 acres through the use of harvest, precommercial thinning and fuels management. Alternative 2 would include the construction of 9 miles of new and temporary roads, 18 miles of existing road would be reconstructed and 2.5 miles would be decommissioned. Alternative 3 would treat approximately 13,725 acres with the same management treatments prescribed under Alternative 2. Under Alternative 3, 0.4 miles of new roads would be constructed, 18 miles of existing road would be reconstructed and 0.8 miles of road would be decommissioned.

We appreciate the Forest Services efforts to move the seral and structural conditions of the Maury forest towards historic ranges of variability and increasing late and old structured stands while reducing the high-intensity fire conditions. However, we have concerns with potential water quality impacts associated with roads in management units with dormant landslide terrain. In addition, we are requesting additional information on road closures and new stream crossings. Consequently, we have assigned a rating of EC-2 (Environmental Concerns – Insufficient Information) to the draft EIS. This rating and a summary of our comments will be published in the *Federal Register*. A copy of the rating system used in conducting our review is enclosed for your reference. Our concerns and recommendations are highlighted in detail in the enclosed attachment.

If you would like to discuss these comments in detail, please feel free to contact me at (206) 553-1601 or Mike Letourneau at (206) 553-6382.

Sincerely,

Christine Reichgott, Manager
NEPA Review Unit

Enclosures

East Maury Fuels and Vegetation Management Project
Draft Environmental Impact Statement

Roads in Dormant Landslide Terrain

Road construction and use may impact water quality by increasing sediment delivery, reducing infiltration, and increasing the rate of water delivery to streams. The proposed project would construct and reconstruct 16 miles of roads underlain by dormant landslide terrain. Similar terrain and geology on slopes to the north of the project area have exhibited mass wasting during wet winters. Mass wasting increases sediment transport and has the potential to impact water quality. In addition, the compaction of ground surrounding wet areas could alter the subsurface water flow from management activities, increasing the risk of reactivation of landslide debris.

The Preferred Alternative would perform commercial treatments on 4,441 acres (64% of the proposed commercial harvest) in management units underlain with dormant landslide terrain and Alternative 3 would perform commercial treatments on 2,530 acres (37% of the proposed commercial harvest) in the same area. According to information presented in the document, any evidence of motion in seeps and springs would be evaluated by a geologist and the geologist would be consulted if there was evidence of any slope movement. The Preferred Alternative proposes tractor and skyline management activities in 26 units with dormant landslide terrain where landslide indicators are higher than other units. The EIS also states that streams in the planning area should meet state water quality turbidity standards in average runoff years. However, there is a risk in above average runoff years that the combined harvest generated and in channel sediment load would be greater than state water quality turbidity standards.

The EIS states that the potential risk from an increase in sediment transport due to mass wasting is low to moderate for all the action alternatives and that the there is roughly equal percentages of acreage proposed for commercial harvest in dormant landslide terrain for both action alternatives. However, almost twice as many acres are proposed for commercial treatment under the Preferred Alternative (4,441 acres) than the other action alternative (2,530 acres). In addition, the Preferred Alternative proposes activity on 16.7 miles of road within dormant landslide terrain (51% of total miles) while Alternative 3 proposes activity on 4 miles (27% of total miles) within dormant landslide terrain. While the EIS lists the roads on dormant landslide terrain for each alternative, it does not discuss the difference in potential impacts between each of the action alternatives due to the difference in the amount of commercial harvest proposed in units with dormant landslide terrain.

The history of mass wasting in similar dormant landslide terrain areas along with the high indicators of landslide, suggests that there is high likelihood of mass wasting in many of the units proposed for commercial harvest. Such mass wasting events could impact water quality within and downstream of the units proposed for commercial harvest and possibly exceed turbidity water quality standards. While the EIS states that a geologist will be consulted if there is evidence of motion in seeps, springs and slopes, it does not discuss the indicators the geologist will use to determine the potential for mass wasting nor discuss actions that could be taken to prevent mass wasting if the indicators suggest that there is a risk of mass wasting in a management unit.

Recommendation:

The EIS needs to discuss the indicators that will be evaluated to determine the risk of mass wasting in management units proposed for commercial harvest and the actions that could be taken if indicators suggest that the risk of mass wasting were high. In addition, the EIS needs to discuss the procedures that will be employed if a mass wasting event occurs, the monitoring that will be preformed to determine if turbidity water quality standards are being met if such an event occurs, and the actions that will be taken if turbidity water quality standards are exceeded. Also, the EIS needs to discuss in further detail the difference in potential impacts between each of the action alternatives due to the difference in the amount of commercial harvest proposed by each alternative in units with dormant landslide terrain.

Road Closures

Roads contribute more sediment to streams than any other management activity and interrupt the subsurface flow of water, particularly where roads cut into steep slopes. In addition, roads and their use contribute to habitat fragmentation, wildlife disturbance, and the introduction or exacerbation of noxious weeds. The EIS states that newly constructed permanent roads would be closed after timber harvest and post-harvest activities were completed. However, the EIS does not discuss how the roads will be closed and the enforcement measures that will be implemented to prevent against unauthorized access.

Recommendation:

The EIS should also describe how roads will be closed. Road closures can range from administrative (signage or barricading at the road entrance to prevent off-road vehicles from entering) to obliterating, revegetating, and stabilizing the road to reduce the risk of mass wasting and to improve wildlife habitats. If the project includes administrative road closures, the EIS should describe what enforcement measures will be utilized and the monitoring program that will be implemented to ensure closures are effective.

New Stream Crossings

Stream crossings and their approaches are potential sources of sediment. In addition, they concentrate runoff and transport sediment down ditch lines and road surfaces. The EIS states that new stream crossings would be constructed on Stewart, Keeney and Poison Creeks. However, it does not discuss the type of crossings that will be constructed (e.g., bridge, road with culvert) nor the construction activities that will be involved with the installation of these crossings.

Recommendation:

The EIS needs to discuss the type of stream crossings that will be constructed at Stewart, Keeney and Poison Creeks and the construction activities involved with their installation. In addition, the document should discuss the best management practices that will be employed during construction and use of all stream crossings to limit impacts to water quality and biota.